MR. C. V. CHANDRASEKHARAN : I second it

The question was put and the motion was carried.

THE TRAVANCORE DISTRICT MUNICIPALITIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI : Sir, similarly I move, in regard to the Travancore District Municipalities Bill, that Messrs. P. S. Mahomed, Kayalam Paramesvaran Pillai, K. P. Abraham, K T. Thomas, T. P. Velayudhan Pillai, M. Sivatanu Pillai, D. Francis, Narayana Kurup, and N. V. Joseph do constitute the quota from this Chamber for the Joint Committee.

MR. C. V. CHANDRASEKHARAN : I second it.

The question was put and the motion was carried.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, before proceeding to the next item of business in the agenda I would like to know who will be the Chairman of the Select Committee, because paragraph 91 (3) of the Sri Mulam Assembly Manual says that the President of the Council or any member nominated by the President shall be the Chairman of the Joint Committee and he shall have a second or casting vote.

PRESIDENT : Is not the rule its own answer ?

MR. KAYALAM PARAMESVARAN PILLAI : Sir, the President will consider all the names and appoint one to be the Chairman.

THE TRAVANCORE CIVIL COURTS POWERS (AMENDMENT) BILL.

MR. KAYALAM PARAMESVARAN PILLAI : Sir, I rise to present the report of the Select Committee on the Travancore Civil Courts Powers (Amendment) Bill and beg to move that the Bill as reported be taken into consideration.

Sir, I have only one word to say in regard to this Bill at this stage. As the Select Committee has revised it, the Bill is now only an amendment of the Travancore High Court Regulation and therefore there is a change in the short title of the Bill and it is now the Travancore High Court Regulation (First) Amendment Regulation 1113. With this observation I move that the Bill as reported be taken into consideration.

The question was put and the motion was carried.

Clause 1.

The question that Clause 1 do stand part of the Bill was put and the clause was added to the Bill.

Clause 2.

The question that Clause 2 do stand part of the Bill was put and the clause was added to the Bill.

Clause 3.

The question that Clause 3 do stand part of the Bill was put and the clause was added to the Bill.

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Preamble.

The question that the Preamble do stand part of the Bill was put and the Preamble was added to the Bill.

MR. PULIYUR T. P. VELAYUDHAN PILLAI : Sir, I have not moved my amendment.

PRESIDENT : The whole point is this. The amendment which had apparently been given notice of by the honourable member was —

"Add the following as an additional clause in its appropriate place: In Section 12 for the words 'two thousand' the words 'two thousand five hundred' shall be substituted."

That was an appropriate enough amendment to the Bill as was originally brought in. But that Bill has been modified and the net result is a Bill with only three sections, and that is the Bill which this House has considered and all those three clauses have been passed. Therefore, I do not see how unless the honourable member wishes to move a separate clause now and asks the permission of the House so to do, the present amendment of the honourable member can be moved.

MR. PULIYUR T. P. VELAYUDHAN PILLAI : I beg to submit for the consideration of the Chair the fact that only the preamble to the former Bill has been changed. We have now "a Regulation to amend the Travancore High Court Regulation" instead of "a Regulation to amend the Travancore Civil Courts Powers Bill" and so my submission is that my amendment is in order and it may be adopted as Clause 3 of the present Bill.

PRESIDENT : As it is, it cannot be adopted as Clause 3. Anyway the honourable member will have to draft a clause embodying his proposal and move it.

MR. PULIYUR T. P. VELAYUDHAN PILLAI : Then I would submit that I may be given permission to add this as a separate clause to the Bill as advised by the Chair.

PRESIDENT : I am perfectly willing to give as much indulgence to the honourable member as possible. If he wants he can sit down and take two minutes for drafting the amendment and I shall suspend the business of the House for those two minutes to enable him to do so, because the honourable member seems to have been under a misapprehension.

MR. KAYALAM PARAMESWARAN PILLAI : Sir, It will be somewhat difficult—with all respect to Mr. Velayudhan Pillai—for an amendment to be drafted just now, as by reason of the amendment the form of the whole Bill may have to be changed. I would therefore advise Mr. Velayudhan Pillai to accept this Bill as it is for the present and take another opportunity to press his proposal.

MR. PULIYUR T. P. VELAYUDHAN PILLAI : I accept the advice of the Law Member.

PRESIDENT : The advice and the acceptance thereof are both out of order. I take it that the amendment is not moved.

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Title.

The question that the title do stand part of the Bill was put and the title was added to the Bill.

MR. KAYALAM PARAMESWARAN PILLAI : As all the clauses have now been put and carried, the next procedure is the third reading of the Bill. Before I make the formal passing motion, I have an amendment to move in regard to Clause 1 (b). The House has now to fix a date for the commencement of this law and I move, subject to the House being agreeable, that the word 'on' in Clause 1 (h) be substituted by the words 'at once'.

MR. C. V. CHANDRASEKHARAN : I second it.

The amendment was put to vote and carried.

MR. KAYALAM PARAMESWARAN PILLAI : Sir, I move that the Bill as amended be passed.

MR. C. V. CHANDRASEKHARAN : I second the motion. The motion was carried and the Bill was passed.

THE TRAVANCORE HIGH COURT REGULATION (Second) AMENDMENT BILL.

MR. KAYALAM PARAMESWARAN PILLAI : Sir, I rise to introduce a Bill to amend the Travancore High Court Regulation of 1099 and beg to move that the bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN : I second it.

MR. KAYALAM PARAMESWARAN PILLAI : Sir, the House is aware that the Travancore Civil Courts Powers (Amendment) Bill was committed to a Select Committee of this House. They came to the conclusion that with a view to reduce the work of the Division Benches of the High Court power may be given to single Judges of the High Court to dispose of finally certain criminal matters. In the Bill already passed, power has been given to single Judges to deal with certain civil matters. As the Committee thought that provisions regarding criminal matters cannot properly be included in that Bill, they recommended that a separate Bill in respect of the criminal matters may be brought up. Hence this Bill. The main principle of the Bill is this. It is open to a single Judge under the present law to admit a criminal revision petition for hearing or to dismiss it. But he cannot vary or modify the order of the lower court. In order to give that power also to a single Judge this Bill is proposed. The single Judges will not however be given power to interfere with any orders of acquittal made by any court or to enhance a sentence. Subject to this limitation, single Judges may pass final orders in criminal revision petitions and in criminal references also as they do in civil revision cases. I trust that this House will accept the Bill.

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